

**OPINION
49-88**

August 30, 1949 (OPINION)

INSANE PERSONS

RE: Liability for Keep

Re: Chapter 198 S.L. 1949

Yours regarding the above law has been received and referred to my desk.

It is our opinion that chapter 198 of the Session Laws of 1949 makes no change in liability to the county for institutional care at the state hospital, the state school, or the state sanatorium. A patient discharged as cured, or his estate, if he dies at the institution, is liable. The new law merely makes the auditor responsible for keeping records so that the accounts can be kept account of and collected.

There is no provision in the law that we are aware of that makes husband or wife liable for the other's keep at these institutions. Nor is there any liability on the part of a parent for the keep of a child. The liability is only on the patient or his estate.

WALLACE E. WARNER

Attorney General